

SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

BARRY R. OSTRAGER
JSC

PRESENT: _____
Justice

PART 61

Index Number : 452044/2018
PEOPLE OF THE STATE OF NEW
VS.
EXXON MOBIL CORPORATION
SEQUENCE NUMBER : 002
DISMISS AFFIRMATIVE DEFENSES

INDEX NO. _____
MOTION DATE _____
MOTION SEQ. NO. _____

The following papers, numbered 1 to _____, were read on this motion to/for _____

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____ No(s). _____

Answering Affidavits — Exhibits _____ No(s). _____

Replying Affidavits _____ No(s). _____

Upon the foregoing papers, it is ordered that this motion ~~is~~ and cross-motion are determined in accordance with the decision on the record on June 12, 2019. The Court grants Exxon's cross-motion to file an Amended Answer and also grants the motion of the Office of the Attorney General to dismiss affirmative defenses relating to an alleged conflict of interest and official misconduct allegedly committed by the Office of the Attorney General. Decision is reserved on the defense of selective enforcement pending receipt of additional submissions within one week.

Dated: June 12, 2019

Barry R. Ostrager J.S.C.
BARRY R. OSTRAGER JSC

1. CHECK ONE: _____ ☐ CASE DISPOSED ☒ NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: _____ MOTION IS: ☐ GRANTED ☐ DENIED ☒ GRANTED IN PART ☐ OTHER
3. CHECK IF APPROPRIATE: _____ ☐ SETTLE ORDER ☐ SUBMIT ORDER
- ☐ DO NOT POST ☐ FIDUCIARY APPOINTMENT ☐ REFERENCE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):